
**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA : Hon. Douglas E. Arpert
: :
v. : Mag. No. 20-6003 (DEA)
: :
ERIC BERNING, : **ORDER FOR A CONTINUANCE**

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Michelle S. Gasparian, Assistant United States Attorney), and defendant Eric Berning, (by Marco A. Laracca, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through October 15, 2023 to allow the parties to enter a plea before the Court pursuant to a signed plea agreement; and the defendant being aware that he has the right to have the matter submitted to a grand jury within 30 days of the date of his arrest pursuant to Title 18, United States Code, Section 3161(b); and twelve prior continuances having been entered; and the defendant, through his attorney, having consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) The parties have entered into plea agreement and need additional time to appear before the Court to enter the plea before the Court; which would

render any grand jury proceedings and any subsequent trial of this matter unnecessary;

- (2) The defendant has consented to the aforementioned continuance;
- (3) The grant of a continuance will likely conserve judicial resources;

and

(4) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 7th day of August, 2023;

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through October 15, 2023;

ORDERED that the period from the date this Order is signed through October 15, 2023 shall be excludable in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.



HON. DOUGLAS E. ARPERT
United States Magistrate Judge

Form and entry consented to:

s/*Michelle S. Gasparian*

Michelle S. Gasparian
Assistant United States Attorney

s/*Marco A. Laracca*

Marco A. Laracca, Esq.
Counsel for Defendant, Eric Berning